

REMARKS

The above amendments are responsive to the Final Action dated December 17, 2002.

Summary of Office action

In the Office action, claim 23 was indicated as allowable and claims 7, 19-22 were indicated to be allowable if rewritten to overcome the objection that the claims depend from a rejected base claim. In addition, claims 1-6 and 8-16 were rejected under 35 U.S.C. § 103(a) as being obvious when viewed in light of U.S. Patent No. 5,546,462 to Indeck and U.S. Patent No. 5,616,904 to Fernandez.

Claims 1-6 and 8-16

Applicants submits that the amendments to claims 1-6 and 8-16 clarify the distinction that is sought to be made over the prior art. In the Final Action, the statement was made that:

"It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine the technique of Indeck for determining the magnetic fingerprint based on the noise remnant of the permanent magnetic microstructure on the card with the technique of Fernandez for measuring the "jitter" of the magnetic analog signal in terms of ranges using a range circuit, and storing both in a storage as a means of authenticating the data, because this would make the potential infringer susceptible to two different techniques and two possible modes of exposure, decreasing the likelihood of forgery."

Applicants submit that the claimed invention is not directed towards using two magnetic fingerprints to authenticate a document. Instead, the claimed inventions use a single "repeatable magnetic characteristic" as a magnetic fingerprint and use the "range characteristics" of a portion of the magnetic medium that includes the "repeatable magnetic characteristic" to "determine whether the repeatable magnetic characteristic has been copied

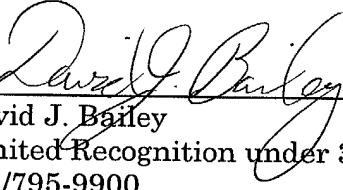
**Application No. 09/324,741**

from the authentic document". Stated another way, the claimed inventions attempt to detect not just an attempt to reproduce data, but an attempt to reproduce both the data and the fingerprint. Applicants submit the claimed invention is different to the combination described in the excerpt above, because Fernandez does not teach measuring the range characteristics of the noise remnant of the permanent magnetic microstructure described in Indeck. Nor will combining the two references in the manner described above enable detection of an attempt to reproduce the magnetic fingerprint.

Respectfully submitted,

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By

  
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Limited Recognition under 37 CFR § 10.9(b)  
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